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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED

In the Matter of)
)
Amendment of Section 73.606(b))
Table of Allotments)
Television Broadcast Stations)
(Vernal and Santaquin, Utah,)
and Ely and Caliente, Nevada))

MM Docket No.
RM -

JUL 25 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

SUPPLEMENT TO PETITION FOR RULE MAKING
AND REQUEST FOR EXPEDITED ACTION

TV 6, L.L.C., permittee of NTSC TV Station KBCJ, Channel 6, Vernal, Utah and Kaleidoscope Foundation, Inc., permittee of NTSC TV Station KBNY, Ely, Nevada, (collectively, the "Petitioners"), by their counsel, hereby submit this Supplement to the Petition for Rule Making ("Petition") filed on April 27, 2000.

1. Petitioners recently had occasion to examine the Petition as it is available to the public on the Commission's Electronic Comment Filing System ("ECFS"). Petitioners discovered that there was no engineering exhibit available on the ECFS system.

2. To correct this problem and to provide engineering information for any other copies of the Petition at the Commission that might be missing the engineering exhibit, Petitioners are filing this Supplement which contains the engineering exhibit for the Petition. Petitioners request that this engineering exhibit be associated with the Petition and placed on the ECFS system.

Renewal of Request for Expedited Action

3. In its Petition, Petitioners requested expedited consideration of the Petition because the construction permit for Channel 6 at Vernal, Utah expires on December 21, 2000. Petitioners explained that if the Petition were granted by final action before the expiration of the Vernal, Utah construction permit, then the expiration of TV6, L.L.C.'s permit would be tolled pending processing of its application for the Santaquin, Utah allotment.

4. Petitioner has not been formally advised of any reason for the extraordinary delay in issuing an NPRM. However, the Commission had not, until recently, issued any rule making proceedings involving changes to the NTSC Table of Allotments.

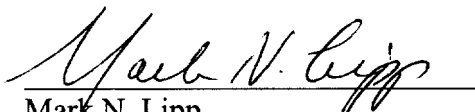
5. On June 30, 2000, the Commission released a Report and Order in MM Docket No. 99-114, that amended the NTSC Table of Allotments, and changed the station's community of license. (Lake Havasu City, Arizona and Laughlin, Nevada, DA 00-1448, released June 30, 2000).

6. Thus, whatever reason the Commission may have had in delaying the processing of rule making proposals involving changes to the NTSC Table of Allotments, it would appear that the suspension of processing is no longer in effect.

7. Accordingly, Petitioners respectfully request that the attached engineering supplement be made a part of its Petition and be included on the Commission's ECFS site, and further request that the Commission give expedited consideration to the pending Petition.

Respectfully submitted,

TV 6, L.L.C. and KALEIDOSCOPE FOUNDATION, INC.

A handwritten signature in cursive script, reading "Mark N. Lipp", is written over a horizontal line.

Mark N. Lipp
Scott C. Cinnamon
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Their Counsel

July 25, 2000

TECHNICAL EXHIBIT
IN SUPPORT OF
A PETITION FOR RULE MAKING
TO AMEND THE NTSC TV TABLE OF ALLOTMENTS
VERNAL, UTAH AND SANTAQUIN, UTAH

Technical Narrative

This technical narrative and associated exhibits have been prepared on behalf of NTSC TV station KBCJ (herein "Petitioner") in support of a Petition for Rule Making to amend Section 73.606(b) by the reallocation of NTSC channel 6 from Vernal, Utah to Santaquin, Utah and the modification of the construction permit of KBCJ on NTSC channel 6 at Vernal, accordingly (BPCT-960919KG). As the requested change to NTSC channel 6 at Santaquin is mutually exclusive with the present allotment of NTSC channel 6 at Vernal, Petitioner invokes the provisions of Section 1.420(i). The proposal is also contingent on adoption of the proposal to reallocate NTSC channel 6 from Ely, Nevada to Caliente, Nevada and the modification of the construction permit of KBNY on NTSC channel 6 at Ely (BPET-970331LN).

The following is a summary of the reallocation proposal:

- The city of Santaquin, Utah (1990 population 2,368) will be provided with its first local NTSC television transmission facility.
- Vernal, Utah (1990 population 6,644) will not be deprived of its sole local NTSC service as station KBCJ is an unconstructed station and not a service upon which the public has come to rely on. Furthermore, noncommercial educational NTSC television channel 17 is currently allotted to Vernal with an application pending to activate the channel (BPET-960705KJ).
- Santaquin is not located within any Urbanized Area as defined by the 1990 U.S. Census.
- The number of persons within the KBCJ Grade B contour will increase from 50,109 persons to 437,309 persons, and there will be a "net" increase in Grade B coverage to 387,200 persons.
- The proposal will not impact the present DTV allotment table.
- The proposal does not adversely impact any LPTV stations which filed for Class A eligibility.

- The proposal will result in service to a white area containing 56,743 persons within 15,810 square kilometers.
- Several additional NTSC channels are available for allotment to Vernal.

Proposed Change in NTSC Table of Allotments

Station KBCJ is currently authorized (BPCT-960919KG) to operate on NTSC channel 6 at Vernal, Utah. Vernal is located in Uintah County, Utah and has a 1990 U.S. Census population of 6,644 persons. Station KBCJ is an unconstructed NTSC station and not a service upon which the public has come to rely on. Therefore, adoption of the proposal will not deprive Vernal of "existing" local NTSC television transmission service.¹ Furthermore, noncommercial educational NTSC television channel 17 is currently allotted to Vernal with an application pending to activate the channel (BPET-960705KJ).²

Santaquin, Utah is also located in Utah County and has a 1990 U.S. Census population of 2,368 persons. Santaquin has no local NTSC television transmission service and, therefore, Petitioner's proposal would bring first local NTSC television transmission service to Santaquin.

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Vernal, Utah	6, *17	*17
Santaquin, Utah	--	6

Compliance With FCC Rules

The attached Figure 1 is a tabulation of required separations pertinent to the use of NTSC channel 6 at Santaquin. The reference site (located in TV Zone II) complies with the Commission's minimum distance separation requirements contained in Sections 73.610 and 73.698 to all existing,

¹ See paragraph 19 of the **Report and Order** in MM Docket No. 92-81 (Farmington and Gallup, New Mexico, DA 96-128) adopted February 1, 1996 and released February 23, 1996.

² Several TV "core" channels (chs. 2-51) are also available for either NTSC or DTV use at Vernal, including 25, 33, 41, 45, 47, 50 and 51.

authorized and proposed NTSC stations and allotments except towards the authorized (CP, BPET-970331LN) operation of KBNY on channel 6 at Ely, Nevada. However, KBNY is concurrently filing a Petition for Rule Making to reallocate NTSC channel 6 from Ely, Nevada to Caliente, Nevada. The proposed KBCJ allotment reference site at Santaquin is fully-spaced to the proposed KBNY allotment reference site at Caliente as shown on Figure 1. Therefore, the instant KBCJ reallocation proposal at Santaquin is contingent on the adoption of the KBNY reallocation proposal at Caliente.

The reference site also meets the minimum distance separation requirements towards FM stations operating on channel 253 (98.5 MHz) contained in Section 73.610(f). Furthermore, the reference site complies with the Commission's minimum distance separation requirements contained in Section 73.623(d) to all existing, authorized and proposed DTV stations and allotments as shown on Figure 1.³ Operation from the reference site will provide the requisite city grade signal to all of Santaquin based on an effective radiated power (ERP) of 100 kW and an antenna height above average terrain (HAAT) of 305 meters. Maximum VHF NTSC facilities for stations located in Zone II are an ERP of 100 kW and an HAAT of 609 meters.

A study of the potential for DTV impact was also conducted based on the FCC's processing guidelines applicable to proposed NTSC facility modifications which were detailed in the FCC's DTV Public Notice dated August 10, 1998 and entitled "Additional Application Processing Guidelines For Digital Television (DTV)". In this regard, it is noted that only impact to co-channel (6) and first adjacent channel (5) DTV allotments is considered for NTSC facility modifications. It has been determined that there are no co-channel or first adjacent channel DTV allotments within the "culling distances" contained in the DTV Public Notice (co-channel 429 km; first adjacent channel 229 km) plus a 100 kilometer buffer.

³ Although the separations contained in Section 73.623(d) are applicable to DTV allotments not included in the initial DTV Table, it is believed that these separations are also applicable for NTSC reallocation proposals.

Therefore, it is believed that the proposed KBCJ operation will not adversely impact any co-channel or first adjacent channel DTV allotments.

Figure 2 is a map showing the area to locate for NTSC channel 6 at Santaquin in compliance with the Commission's minimum distance separation requirements and city coverage requirements based on an ERP of 100 kW and an HAAT of 305 meters.

Pursuant to Section 1.420(i), the Commission will consider petitions to modify the license/construction permit of an TV station to specify a new community if the proposed allotment would be mutually exclusive with the present assignment. As the entire area to locate for NTSC channel 6 at Santaquin depicted on Figure 2 would be short-spaced to the authorized KBCJ channel 6 operation, the new allotment is mutually exclusive with the existing allotment.

Finally, as the construction permit for station KBCJ was issued after the cut-off date established by the Commission in the **Sixth Report and Order on Digital Television Service**, it did not qualify for a pre-designated DTV allotment. Therefore, petitioner is not requesting a paired DTV allotment for Santaquin.

Urbanized Area Consideration

Santaquin, Utah is not located within any Urbanized Area as defined by the 1990 U.S. Census.

Grade B Gain and Loss Areas and Available Services

Figure 3, attached, is a map showing the NTSC TV Grade B contours for the authorized KBCJ operation on NTSC channel 6 at Vernal and the proposed KBCJ operation on NTSC channel 6 at Santaquin. Authorized facilities (ERP 83.2 kW, HAAT 676 m) were used to determine the location of KBCJ's authorized Vernal Grade B contour and presumed facilities (ERP

100 kW/HAAT 305 meters) were used to determine the location of the proposed Santaquin Grade B contour. The Grade B "gain" and "loss" areas are also indicated.

Figure 4 is a map depicting the Grade B contours for the authorized and proposed KBCJ operations. Also shown are the other Grade B services available to the areas within the KBCJ authorized and proposed Grade B contours. Figure 5 tabulates the TV stations whose Grade B contours are shown on Figure 4.

Figure 6 is a tabulation of the land areas and estimated populations within the KBCJ authorized and proposed Grade B contours. Also tabulated are the gain, loss and "net" gain areas and the results of the other available Grade B services for these areas. Adoption of the Petitioner's proposal will increase the number of persons within the KBCJ Grade B contour from 50,109 persons to 437,309 persons, and will result in a "net" increase in Grade B coverage to 389,373 persons. In addition, adoption of the proposal will result in service to a TV white area (0 existing services) containing 56,743 persons within 15,810 square kilometers.

Class A LPTV Impact

An analysis was conducted to determine the potential for adverse impact to LPTV stations which filed for Class A eligibility. It has been determined that there are no Class A LPTV stations on either channel 5 or 6 located within 550 kilometers of the proposed site. Therefore, the proposed operation on NTSC channel 6 at Santaquin will not adversely impact any Class A LPTV stations.

TV Grade B Coverage Contours

The TV predicted Grade B coverage contours were calculated in accordance with the provisions of Section 73.684.

Population and Area

The population within each TV Grade B contour and each gain and loss area was calculated using a computer program that utilizes the 1990 U.S. Census database of "population centroids". The program adds the populations of those U.S. Census designated areas whose centroid was within each service area. The area within each TV Grade B contour was calculated using a root mean square algorithm.

Conclusion

NTSC Channel 6 can be reallocated from Vernal, Utah to Santaquin, Utah in compliance with all applicable Commission Rules. The proposal will result in a first local NTSC television transmission service to Santaquin. The proposal would not deprive Vernal of local NTSC television transmission service. The number of persons within the KBCJ Grade B contour will increase from 50,109 persons to 437,309 persons, and there will be a "net" increase Grade B coverage to 387,200 persons. In addition, adoption of the proposal will result in service to a TV white area (0 existing services) containing 56,743 persons within 15,810 square kilometers. The proposal will not adversely impact any DTV allotments or and does not adversely impact any LPTV stations which filed for Class A eligibility. Therefore, Petitioner requests the reallocation of channel 6 from Vernal to Santaquin and the modification of the Petitioner's construction permit to specify operation on channel 6 at Santaquin.



W. Jeffrey Reynolds

du Treil, Lundin & Rackley, Inc.
201 Fletcher Avenue
Sarasota, Florida 34237-6019

March 10, 2000

NTSC TO NTSC Separation Study

[illegible]

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
KSLTV LIC	SALT LAKE CITY UT	BLCT-2616	5(+) II	33.9 1152	40-39-35 112-12-05	348.1	105.26 9.56	95.7 CLOSE
KBCJ CP	VERNAL UT	BPCT-960919KG	6(o) II	83.2 676	40-21-22 109-08-41	72.9	248.63 -56.27	304.9 SHORT¹
KBNY CP	ELY NV	BPET-970331LN	*6(+) II	100 270	39-15-53 114-53-35	259.3	259.05 -45.85	304.9 SHORT²
KBNY PADD	Caliente NV		6(+)		37-47-00 114-30-00	226.6	310.23 5.33	304.9 CLOSE²
KPVI LIC	POCATELLO ID	BLCT-2335	6(-) II	100 466	42-55-15 112-20-44	354.7	355.66 50.76	304.9 CLEAR

** End of TV Separation Study for Channel 6 **

NTSC to DTV Separation Study

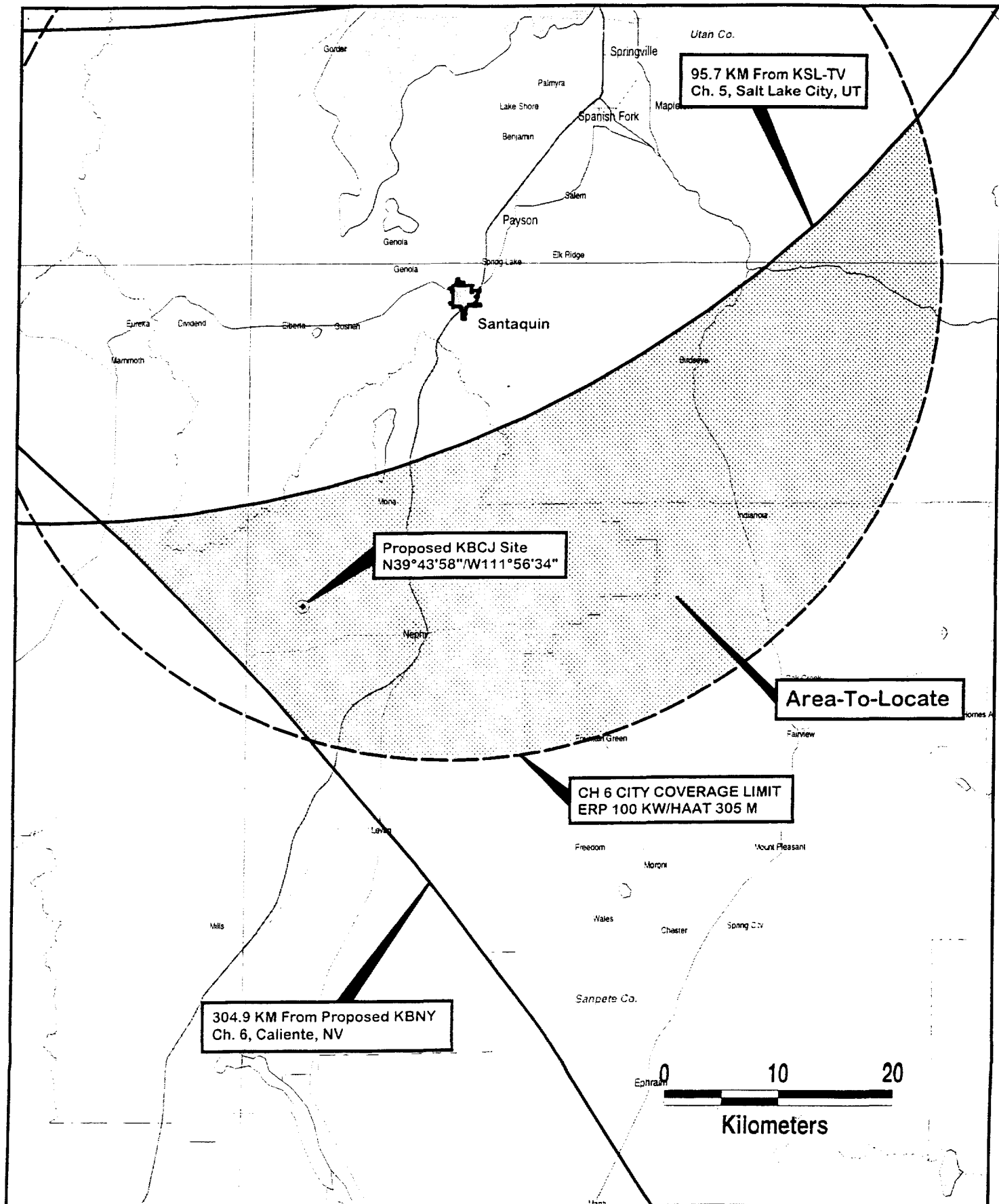
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Call	City	Channel	ERP(kW)	Latitude	Bear.	Dist.	Req.
Status	St	FCC File No.	Zone	HAAT(m)	Longitude	True (km)	(km)

No DTV records located on this channel & within the required separation plus a safety factor.

¹ Authorized KBCU site. Requested reallocation of NTSC channel 6 to Santaquin, Utah is mutually exclusive with the Petitioner's current channel 6 allotment at Vernal, Utah.

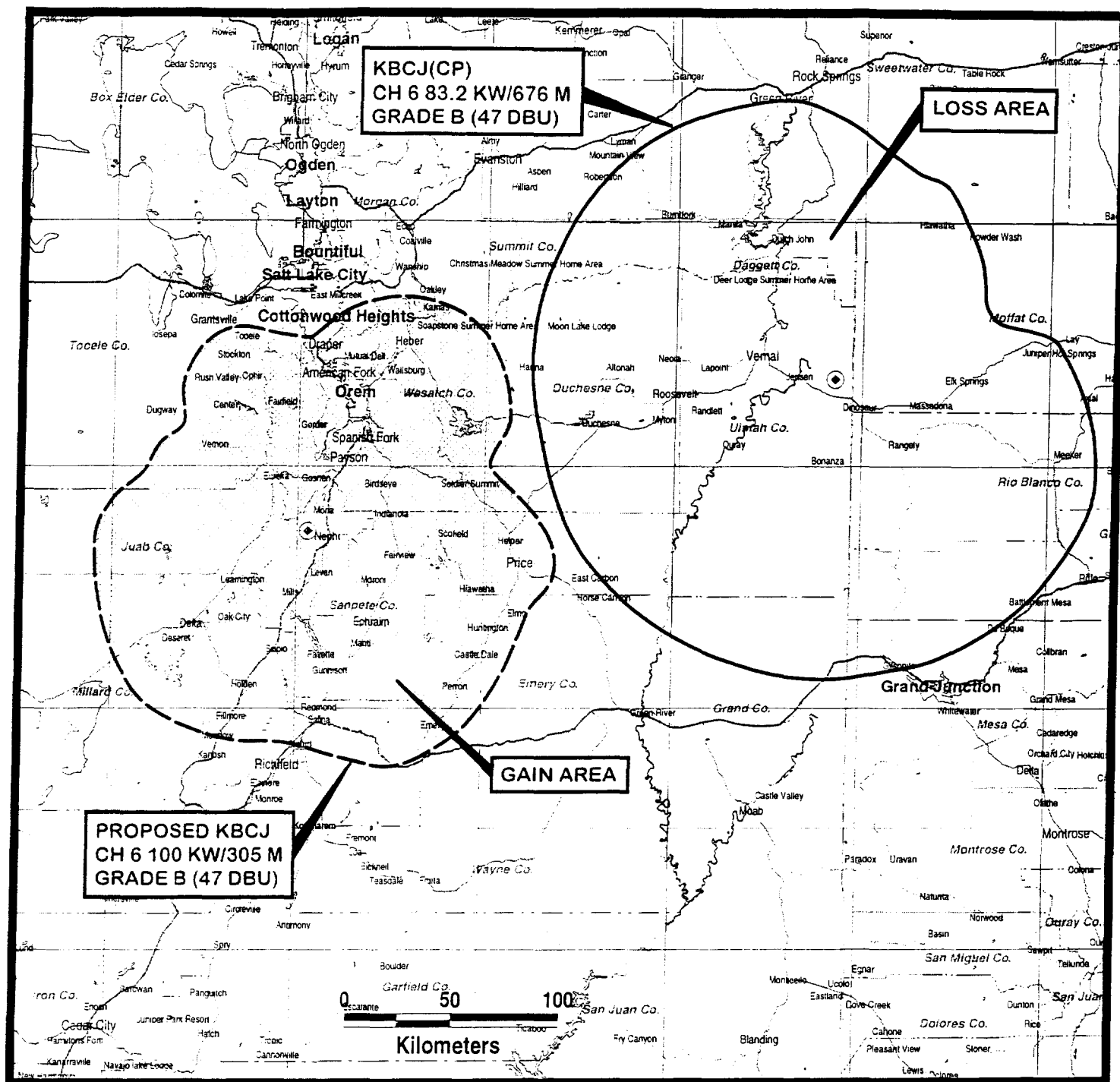
2 Station KBNY is concurrently filing a Petition for Rule Making to reallocate NTSC channel 6 from Ely, Nevada to Caliente, Nevada. The proposed KBCJ allotment reference site at Santaquin is fully-spaced to the proposed KBNY allotment reference site at Caliente. Therefore, the instant KBCJ proposal at Santaquin is contingent on the adoption of the KBNY proposal at Caliente.



**AREA-TO-LOCATE
NTSC CHANNEL 6
SANTAQUIN, UTAH**

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

Figure 3

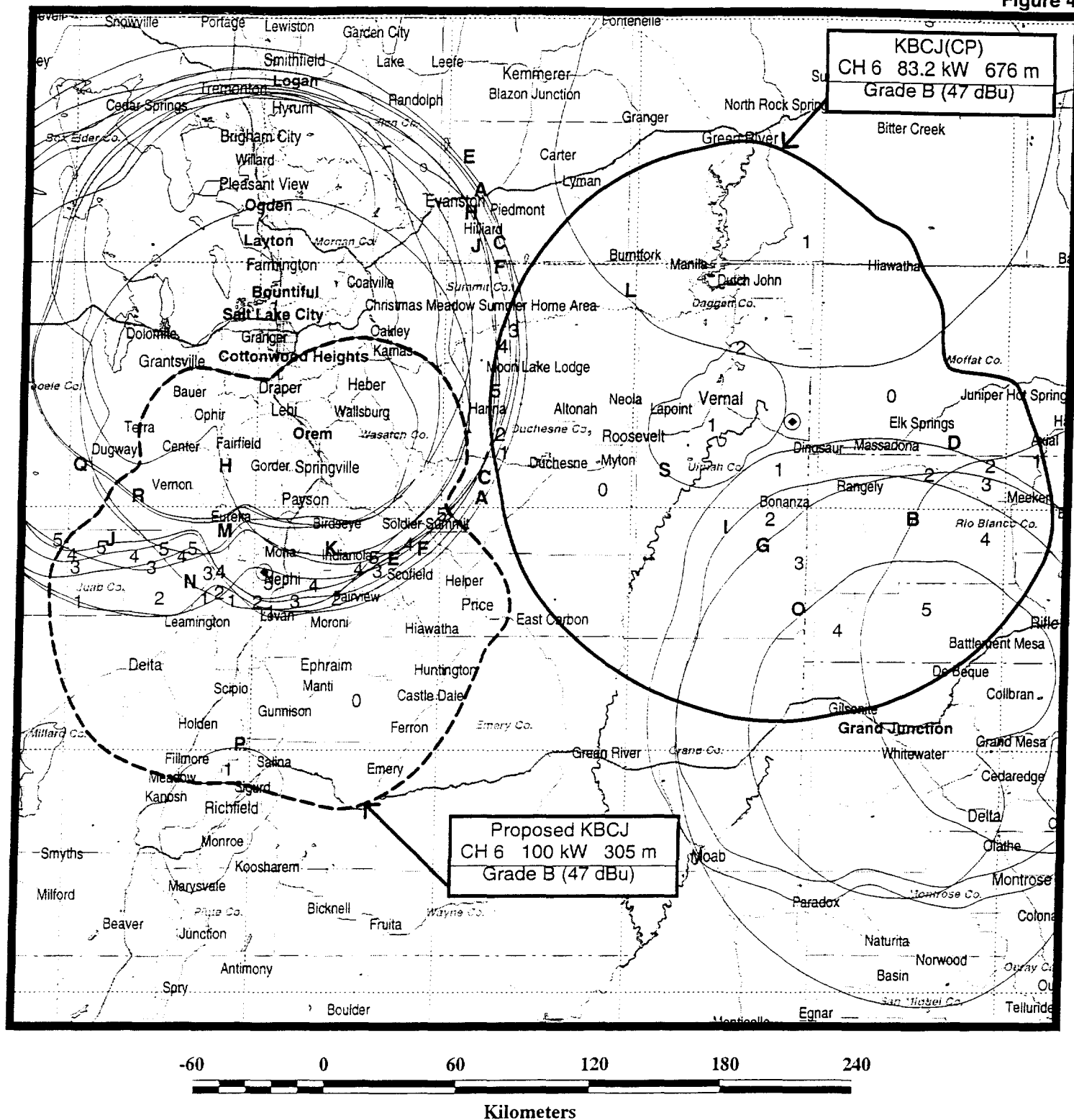


PREDICTED GRADE B CONTOURS AND GAIN AND LOSS AREAS

NTSC CHANNEL 6
SANTAQUIN, UTAH

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

Figure 4



OTHER GRADE B SERVICES TO GAIN AND LOSS AREAS

NTSC CHANNEL 6
SANTAQUIN, UTAH

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

OTHER TV STATIONS PROVIDING SERVICE TO GAIN AREA

A	KUTV(TV)	Salt Lake City, UT	Ch. 2, 45.7 kW/933 m
C	KTVX(TV)	Salt Lake City, UT	Ch. 4, 32.4 kW/1180 m
E	KSL-TV	Salt Lake City, UT	Ch. 5, 33.9 kW/1152 m
F	KUED(TV)	Salt Lake City, UT	Ch. 7, 155 kW/924 m
H	KULC(TV)	Ogden, UT	Ch. 9, 166 kW/893 m
J	KBYU-TV	Provo, UT	Ch. 11, 162 kW/896 m
K	KSTU(TV)	Salt Lake City, UT	Ch. 13, 112 kW/1116 m
M	KJZZ-TV	Salt Lake City, UT	Ch. 14, 1410 kW/1181 m
N	KUPX(TV)	Provo, UT	Ch. 16, 2000 kW/847 m
P	KUES(TV) (CP)	Richfield, UT	Ch. 19, 1.2 kW/441 m
Q	KTMW(TV) (CPMOD)	Salt Lake City, UT	Ch. 20, 1660 kW/1171 m
R	KUWB(TV)	Ogden, UT	Ch. 30, 1660 kW/1171 m

OTHER TV STATIONS PROVIDING SERVICE TO LOSS AREA

A	KUTV(TV)	Salt Lake City, UT	Ch. 2, 45.7 kW/933 m
B	KREG-TV	Glenwood Springs, CO	Ch. 3, 67.6 kW/771 m
C	KTVX(TV)	Salt Lake City, UT	Ch. 4, 32.4 kW/1180 m
D	KREX-TV(CP)	Grand Junction, CO	Ch. 5, 100 kW/428 m
E	KSL-TV	Salt Lake City, UT	Ch. 5, 33.9 kW/1152 m
F	KUED(TV)	Salt Lake City, UT	Ch. 7, 155 kW/924 m
G	KJCT(TV)	Grand Junction, CO	Ch. 8, 120 kW/829 m
H	KULC(TV)	Ogden, UT	Ch. 9, 166 kW/893 m
I	KKCO(TV)	Grand Junction, CO	Ch. 11, 155 kW/394 m
J	KBYU-TV	Provo, UT	Ch. 11, 162 kW/896 m
L	KGWR-TV	Rock Springs, WY	Ch. 13, 209 kW/495 m
O	KRMJ(TV)	Grand Junction, CO	Ch. 18, 186 kW/883 m
S	NEW(APP)	Vernal, UT	Ch. 17, 6.03 kW/-120 m

TECHNICAL EXHIBIT
IN SUPPORT OF
A PETITION FOR RULE MAKING
TO AMEND THE NTSC TV TABLE OF ALLOTMENTS
SANTAQUIN, UTAH AND VERNAL, UTAH

Tabulation of Areas, Populations and Grade B
Services Within KBCJ Authorized and Proposed Grade B Contours

I. Population and Land Area Within Grade B Contours

Area	1990 Census Population	Area (km ²)
Proposed Grade B Ch. 6 Santaquin	437,309	32,820
Authorized Grade B Ch. 6 Vernal	50,109	49,800

II. Population and Land Area Within Gain and Loss Areas

Area	1990 Census Population	Area (km ²)
Grade B Gain Area	437,309	32,820
Grade B Loss Area	50,109	49,800
Grade B "Net" Gain Area	387,200	-16,980

III. Available Grade B Service Within Grade B Gain and Loss Areas

Area	No. of Grade B Services	Within Grade B Contour	
		1990 Census Population	Area (km ²)
Loss Area	0	14,528	16,608
	1	26,432	18,027
	2	719	1,591
	3	5,544	5,654
	4	2,431	4,714
	5 or more	455	3,206

Area	No. of Grade B Services	Within Grade B Contour	
		1990 Census Population	Area (km ²)
Gain Area	0	56,743	15,810
	1	2,499	1,159
	2	624	1,437
	3	620	844
	4	0	541
	5 or more	376,823	13,029

TECHNICAL EXHIBIT
IN SUPPORT OF
A PETITION FOR RULE MAKING
TO AMEND THE NTSC TV TABLE OF ALLOTMENTS
ELY, NEVADA AND CALIENTE, NEVADA

Technical Narrative

This technical narrative and associated exhibits have been prepared on behalf of NTSC TV station KBNY (herein "Petitioner") in support of a Petition for Rule Making to amend Section 73.606(b) by the reallocation of NTSC channel 6 from Ely, Nevada to Caliente, Nevada and the modification of the construction permit of KBNY on NTSC channel 6 at Ely, accordingly (BPET-970331LN). As the requested change to NTSC channel 6 at Caliente is mutually exclusive with the present allotment of NTSC channel 6 at Ely, Petitioner invokes the provisions of Section 1.420(i). The proposal is being filed "concurrently" with the proposal to reallocate NTSC channel 6 from Vernal, Utah to Santaquin, Utah and the modification of the construction permit (BPCT-960919KG) of KBCJ on NTSC channel 6 at Vernal ("KBCJ Petition"). The KBCJ Petition is contingent on adoption of the proposed KBNY Petition.

The following is a summary of the reallocation proposal:

- The city of Caliente, Nevada (1990 population 1,111) will be provided with its first local NTSC television transmission facility.
- Ely, Nevada (1990 population 4,756) will not be deprived of its sole local NTSC service as station KBNY is an unconstructed station and not a service upon which the public has come to rely on. Furthermore, NTSC station KBJN on channel 3 is also authorized to serve Ely (BPCT-970331LM).
- Caliente is not located within any Urbanized Area as defined by the 1990 U.S. Census.
- The number of persons within the KBNY Grade B contour will increase from 10,484 persons to 47,036 persons, and there will be a "net" increase in Grade B coverage to 36,552 persons.
- The proposal will not impact the present DTV allotment table.

- The proposal does not adversely impact any LPTV stations which filed for Class A eligibility.
- The proposal will result in service to a white area containing 933 persons within 11,161 square kilometers.
- Several additional NTSC channels are available for allotment to Ely.

Proposed Change in NTSC Table of Allotments

Station KBNY is currently authorized (BPET-970331LN) to operate on NTSC channel 6 at Ely, Nevada. Ely is located in White Pine County, Nevada and has a 1990 U.S. Census population of 4,756 persons.

Station KBNY is an unconstructed NTSC station and not a service upon which the public has come to rely on. Therefore, adoption of the proposal will not deprive Ely of "existing" local NTSC television transmission service.¹ Furthermore, NTSC station KBJN on channel 3 is also authorized at Ely (BPCT-970331LM).²

Caliente, Nevada is also located in Lincoln County and has a 1990 U.S. Census population of 1,111 persons. Caliente has no local NTSC television transmission service and, therefore, Petitioner's proposal would bring first local NTSC television transmission service to Caliente.

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Ely, Nevada	3, 6	3
Caliente, Nevada	--	6

Compliance With FCC Rules

The attached Figure 1 is a tabulation of required separations pertinent to the use of NTSC channel 6 at Caliente. The reference site (located in TV Zone II) complies with the Commission's minimum distance separation requirements contained

¹ See paragraph 19 of the **Report and Order** in MM Docket No. 92-81 (Farmington and Gallup, New Mexico, DA 96-128) adopted February 1, 1996 and released February 23, 1996.

² Several channels are also available for either NTSC or DTV use at Ely, including 21-25, 27-28, 31, 33, 34, 39, 40, 41-43, 45, 47 and 49-50.

in Sections 73.610 and 73.698 to all existing, authorized and proposed NTSC stations and allotments as shown on Figure 1. The reference site also meets the minimum distance separation requirements towards FM stations operating on channel 253 (98.5 MHz) contained in Section 73.610(f). Furthermore, the reference site complies with the Commission's minimum distance separation requirements contained in Section 73.623(d) to all existing, authorized and proposed DTV stations and allotments as shown on Figure 1.³ Operation from the reference site will provide the requisite city grade signal to all of Caliente based on an effective radiated power (ERP) of 100 kW and an antenna height above average terrain (HAAT) of 300 meters. Maximum VHF NTSC facilities for stations located in Zone II are an ERP of 100 kW and an HAAT of 609 meters.

A study of the potential for DTV impact was also conducted based on the FCC's processing guidelines applicable to proposed NTSC facility modifications which were detailed in the FCC's DTV Public Notice dated August 10, 1998 and entitled "Additional Application Processing Guidelines For Digital Television (DTV)". In this regard, it is noted that only impact to co-channel (6) and first adjacent channel (5) DTV allotments is considered for NTSC facility modifications. It has been determined that there are no co-channel or first adjacent channel DTV allotments within the "culling distances" contained in the DTV Public Notice (co-channel 429 km; first adjacent channel 229 km) plus a 100 kilometer buffer. Therefore, it is believed that the proposed KBNY operation will not adversely impact any co-channel or first adjacent channel DTV allotments.

Figure 2 is a map showing the area to locate for NTSC channel 6 at Caliente in compliance with the Commission's minimum distance separation requirements and city coverage

³ Although the separations contained in Section 73.623(d) are applicable to DTV allotments not included in the initial DTV Table, it is believed that these separations are also applicable for NTSC reallocation proposals.

requirements based on an ERP of 100 kW and an HAAT of 300 meters.

Pursuant to Section 1.420(i), the Commission will consider petitions to modify the license/construction permit of an TV station to specify a new community if the proposed allotment would be mutually exclusive with the present assignment. As the entire area to locate for NTSC channel 6 at Caliente depicted on Figure 2 would be short-spaced to the authorized KBNY channel 6 operation, the new allotment is mutually exclusive with the existing allotment.

Finally, as the construction permit for station KBNY was issued after the cut-off date established by the Commission in the **Sixth Report and Order on Digital Television Service**, it did not qualify for a pre-designated DTV allotment. Therefore, petitioner is not requesting a paired DTV allotment for Caliente.

Urbanized Area Consideration

Caliente, Nevada is not located within any Urbanized Area as defined by the 1990 U.S. Census.

Grade B Gain and Loss Areas and Available Services

Figure 3, attached, is a map showing the NTSC TV Grade B contours for the authorized KBNY operation on NTSC channel 6 at Ely and the proposed KBNY operation on NTSC channel 6 at Caliente. Authorized facilities (ERP 100 kW/HAAT 270 m) were used to determine the location of KBNY's authorized Ely Grade B contour and presumed facilities (ERP 100 kW/HAAT 300 meters) were used to determine the location of the proposed Caliente Grade B contour. The Grade B "gain" and "loss" areas are also indicated.

Figure 4 is a map depicting the Grade B contours for the authorized and proposed KBNY operations. Also shown are

the other Grade B services available to the areas within the KBNY authorized and proposed Grade B contours. Figure 5 tabulates the TV stations whose Grade B contours are shown on Figure 4.

Figure 6 is a tabulation of the land areas and estimated populations within the KBNY authorized and proposed Grade B contours. Also tabulated are the gain, loss and "net" gain areas and the results of the other available Grade B services for these areas. Adoption of the Petitioner's proposal will increase the number of persons within the KBNY Grade B contour from 10,484 persons to 47,036 persons, and will result in a "net" increase in Grade B coverage to 36,552 persons. In addition, adoption of the proposal will result in service to a TV white area (0 existing services) containing 933 persons within 11,161 square kilometers.

Class A LPTV Impact

An analysis was conducted to determine the potential for adverse impact to LPTV stations which filed for Class A eligibility. It has been determined that there are no Class A LPTV stations on either channel 5 or 6 located within 380 kilometers of the proposed site. Therefore, the proposed operation on NTSC channel 6 at Santaquin will not adversely impact any Class A LPTV stations.

TV Grade B Coverage Contours

The TV predicted Grade B coverage contours were calculated in accordance with the provisions of Section 73.684.

Population and Area

The population within each TV Grade B contour and each gain and loss area was calculated using a computer program that utilizes the 1990 U.S. Census database of "population centroids". The program adds the populations of those U.S.

area. The area within each TV Grade B contour was calculated using a root mean square algorithm.

Conclusion

NTSC Channel 6 can be reallocated from Ely, Nevada to Caliente, Nevada in compliance with all applicable Commission Rules. The proposal will result in a first local NTSC television transmission service to Caliente. The proposal would not deprive Ely of local NTSC television transmission service. The number of persons within the KBNY Grade B contour will increase from 10,484 persons to 47,036 persons, and there will be a "net" increase Grade B coverage to 36,552 persons. In addition, adoption of the proposal will result in service to a TV white area (0 existing services) containing 933 persons within 11,161 square kilometers. The proposal will not adversely impact any DTV allotments and also does not adversely impact any LPTV stations which filed for Class A eligibility. Therefore, Petitioner requests the reallocation of channel 6 from Ely to Caliente and the modification of the Petitioner's construction permit to specify operation on channel 6 at Caliente.


W. Jeffrey Reynolds

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201 Fletcher Avenue
Sarasota, Florida 34237-6019
(941)329-6000

March 10, 2000

NTSC to NTSC Separation Study

Job Title : Proposed KBNY Site

Separation Buffer 100 km

Zone : 2

FCC TV DB Date : 12/03/99

Channel 6 (82- 88 MHz)

Coordinates : 37-47-00 114-30-00

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
KBNY	ELY		* 6(+)	100	39-15-53	348.4	167.98	304.9
CP	NV	BPET-970331LN	II	270	114-53-35		-136.92	SHORT¹
KMOHTV	KINGMAN		6(-)	100 DA	35-01-57	177.7	305.49	304.9
CP	AZ	BPCT-990708KF	II	592	114-21-56		0.59	CLOSE
KMOHTV	KINGMAN		6(-)	100	35-01-57	177.7	305.49	304.9
LIC	AZ	BLCT-880315KH	II	585	114-21-56		0.59	CLOSE
KBCJ	Santaquin		6(0)		39-43-58	45.0	310.23	304.9
PADD	UT				111-56-34		5.33	CLOSE²

** End of TV Separation Study for Channel 6 **

NTSC to DTV Separation Study

Job Title : Proposed KBNY Site

Separation Buffer 100 km

Zone : 2

FCC DTV DB Date: 12/18/98

Channel 6 (82- 88 MHz)

Coordinates : 37-47-00 114-30-00

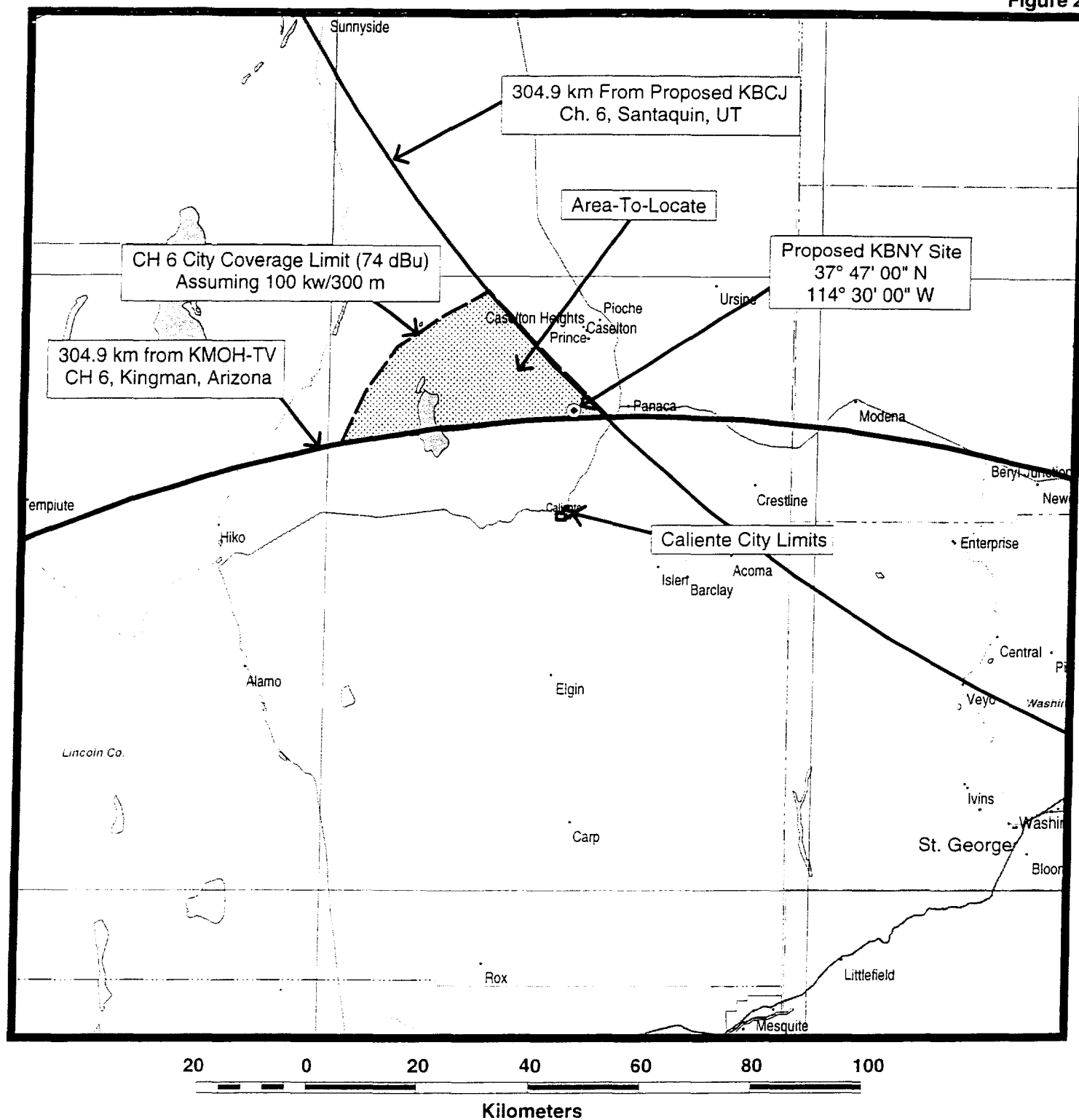
Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)

No DTV records located on this channel & within
the required separation plus a safety factor.

¹ Authorized KBNY site. Requested reallocation of NTSC channel 6 to Caliente, Nevada is mutually exclusive with the Petitioner's current channel 6 allotment at Ely, Nevada.

² The KBNY proposal is being filed "concurrently" with the proposal to reallocate NTSC channel 6 from Vernal, Utah to Santaquin, Utah and the modification of the construction permit (BPCT-960919KG) of KBCJ on NTSC channel 6 at Vernal. The KBCJ Petition is contingent on adoption of the proposed KBNY Petition.

Figure 2

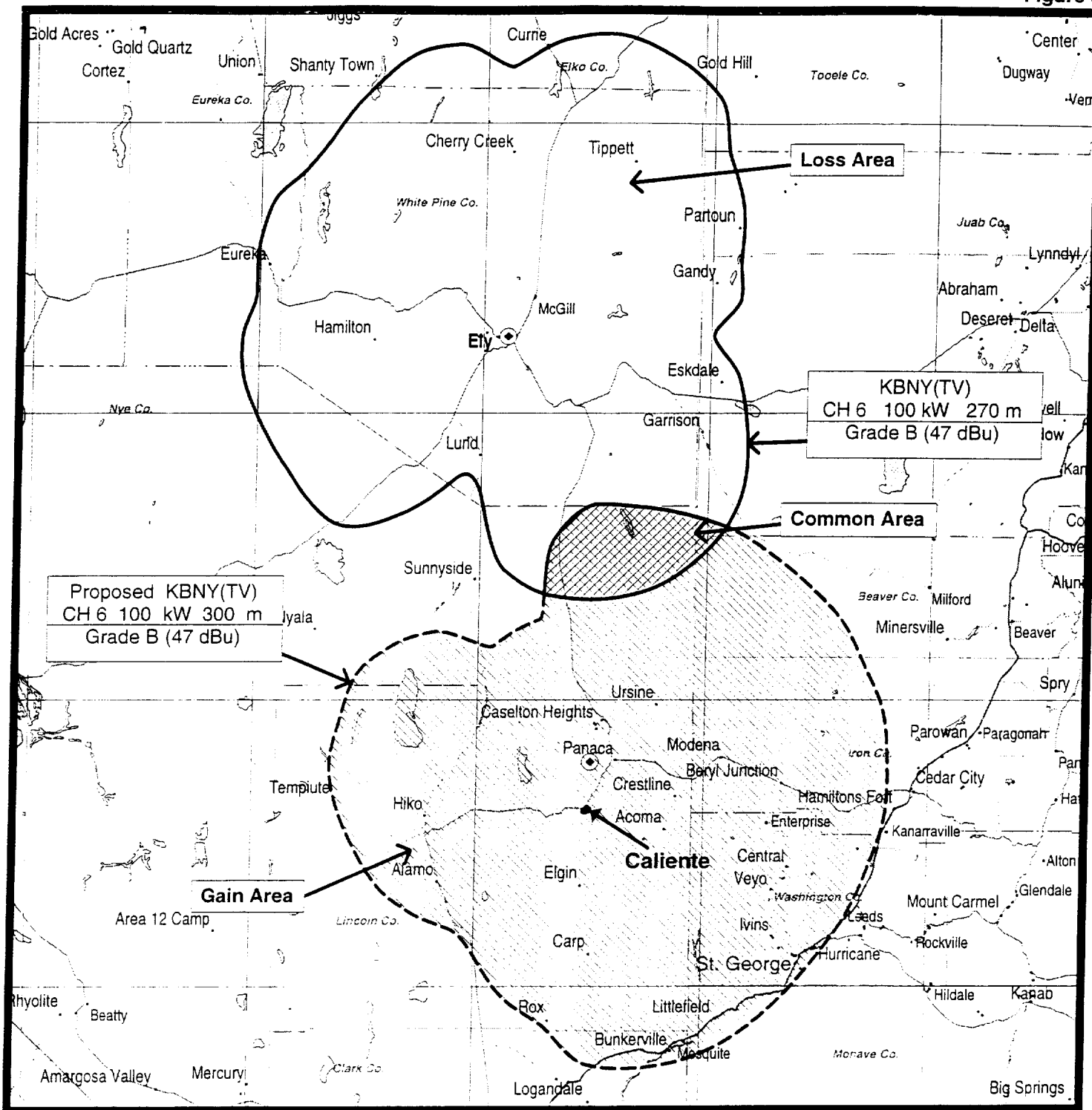


AREA-TO-LOCATE

CHANNEL 6 CALIENTE, NEVADA

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

Figure 3

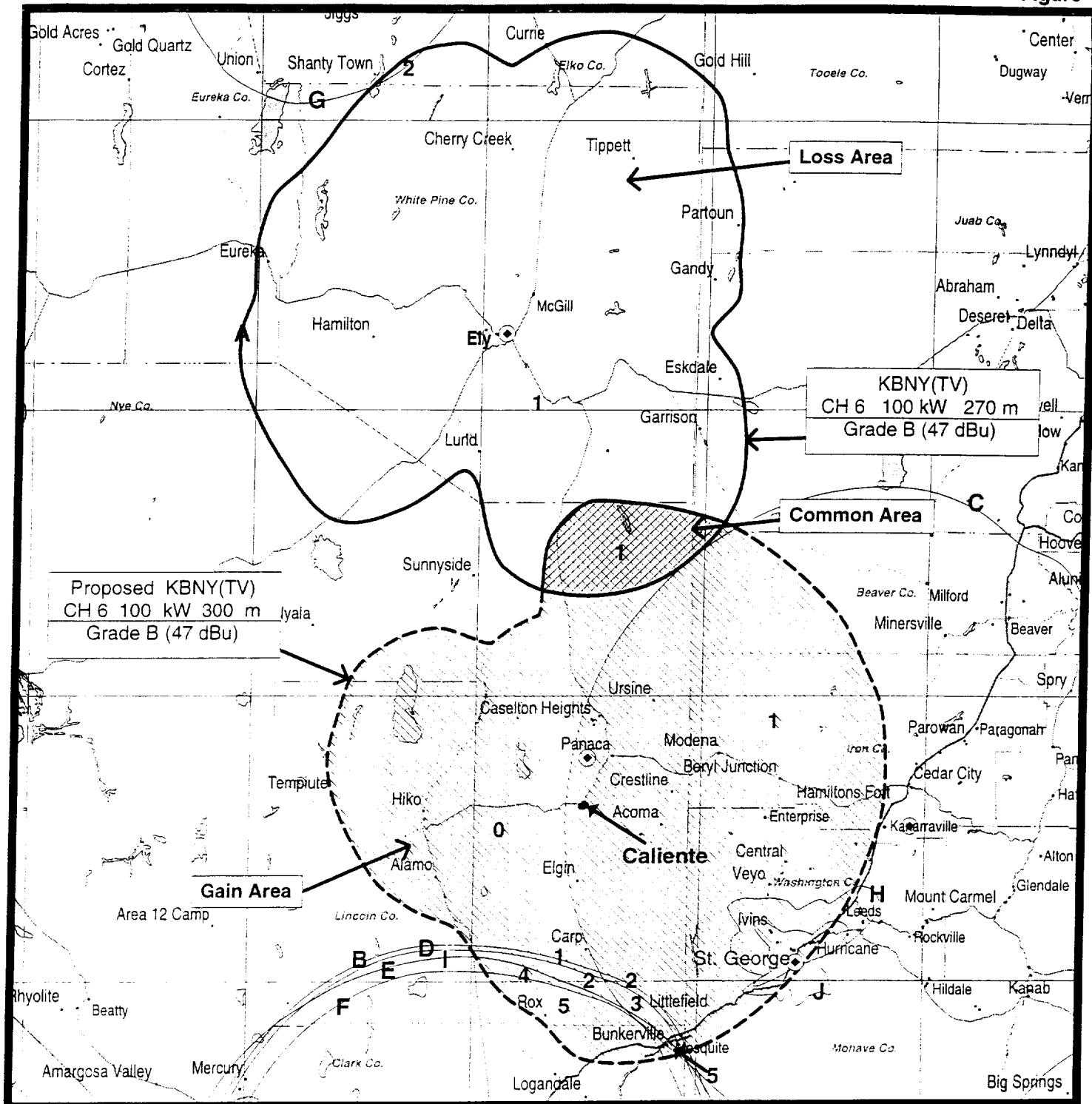


GAIN AND LOSS AREA

CHANNEL 6 CALIENTE, NEVADA

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

Figure 4



GRADE B SERVICES

CHANNEL 6 CALIENTE, NEVADA

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

OTHER TV STATIONS PROVIDING SERVICE TO GAIN AREA

Map ID	Call Letters	Location	Authorized Facilities
B	KVBC(TV)	Las Vegas, NV	Ch. 3, 100 kW/387 m
C	KCSG(TV)	Cedar City, UT	Ch. 4, 38 kW/836 m
D	KVVU-TV	Henderson, NV	Ch. 5, 100 kW/363 m
E	KLAS-TV	Las Vegas, NV	Ch. 8, 316 kW/610 m
F	KLVX(TV)	Las Vegas, NV	Ch. 10, 295 kW/372 m
H	KUSG(TV) CPMOD	St. George, UT	Ch. 12, 10 kW/42 m
I	KTNV(TV)	Las Vegas, NV	Ch. 13, 316 kW/610 m
J	KUEW(TV) CP	St. George, UT	Ch. 18, 6.31 kW/48 m

TECHNICAL EXHIBIT
IN SUPPORT OF
A PETITION FOR RULE MAKING
TO AMEND THE NTSC TV TABLE OF ALLOTMENTS
ELY, NEVADA AND CALIENTE, NEVADA

Tabulation of Areas, Populations and Grade B
Services Within KBNY Authorized and Proposed Grade B Contours

I. Population and Land Area Within Grade B Contours

Area	1990 Census Population	Area (km ²)
Authorized Grade B Ch. 6 Ely	10,484	34,172
Proposed Grade B Ch. 6 Caliente	47,036	34,600

II. Population and Land Area Within Gain and Loss Areas

Area	1990 Census Population	Area (km ²)
Grade B Gain Area	47,020	32,800
Grade B Loss Area	10,468	32,372
Grade B "Net" Gain Area	36,552	428

III. Available Grade B Service Within Grade B Gain and Loss Areas

Area	No. of Grade B Services	Within Grade B Contour	
		1990 Census Population	Area (km ²)
Loss Area	1	10,468	32,332
	2	0	40

Area	No. of Grade B Services	Within Grade B Contour	
		1990 Census Population	Area (km ²)
Gain Area	5 or more	459	1,182
	4	316	230
	3	195	201
	2	1,237	360
	1	43,880	19,666
	0	933	11,161